



General Assembly

January Session, 2009

**Amendment**

LCO No. 7134

**\*HB0629707134SR0\***

Offered by:

SEN. MCKINNEY, 28<sup>th</sup> Dist.

SEN. FASANO, 34<sup>th</sup> Dist.

SEN. RORABACK, 30<sup>th</sup> Dist.

To: Subst. House Bill No. 6297

File No. 945

Cal. No. 633

**"AN ACT CONCERNING CERTAIN AUTHORITY AND DUTIES OF  
THE DEPARTMENT OF ADMINISTRATIVE SERVICES."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) There is established a  
4 Bipartisan Senate Committee on Standards of Official Conduct that  
5 shall consist of six members, appointed as follows: Three majority  
6 caucus senators by the president pro tempore of the Senate, and three  
7 minority caucus senators by the president pro tempore of the Senate  
8 upon the recommendation of the Senate minority leader. The president  
9 pro tempore of the Senate shall appoint two cochairpersons of the  
10 committee, one of whom shall be appointed upon the recommendation  
11 of the Senate minority leader. Such appointments shall be made not  
12 later than ten days after the effective date of this section.

13 (b) Said committee shall have cognizance of any official Senate

14 action in response to any misconduct by any member of the Senate.  
15 "Misconduct" shall include any violation of state or federal election  
16 laws, any violation of the state code of ethics, any misuse of state  
17 property, including the submission of a false claim for compensation  
18 or reimbursement, any legal or ethical wrong or other conduct that  
19 materially impairs the ability of the member to perform the duties of  
20 his or her office, or any conduct that impugns the integrity of the  
21 Senate or undermines public trust and confidence in the Senate.  
22 Nothing in this rule shall be construed to affect the powers and duties  
23 of the Office of State Ethics or the Citizen's Ethics Advisory Board.

24 (c) A quorum, consisting of not less than two members of each  
25 caucus, shall be required to conduct any official business of the  
26 committee. All committee decisions shall require four affirmative  
27 votes.

28 (d) Upon the complaint of any person, signed under penalty of false  
29 statement, or upon its own complaint, the committee shall conduct a  
30 preliminary investigation into claims of any misconduct by any  
31 member of the Senate. Any committee member who is the subject of  
32 such a complaint shall recuse himself or herself from any committee  
33 action pertaining to such complaint. Such member shall be replaced,  
34 for purposes of committee action on such complaint, in the same  
35 manner in which such member was appointed.

36 (e) Any such preliminary investigation shall be confidential and not  
37 subject to disclosure. Upon the conclusion of any preliminary  
38 investigation, the committee shall vote to either (1) dismiss the  
39 complaint, or (2) make a finding of probable cause that misconduct has  
40 occurred. Upon a finding of probable cause by the committee, all  
41 information relating to the preliminary investigation shall, to the  
42 extent allowed by state and federal law, be made available to the  
43 public.

44 (f) The committee shall undertake a full investigation only after a  
45 finding of probable cause. All information relating to a full

46 investigation shall, to the extent allowed by state and federal law, be  
47 made available to the public. All proceedings relating to a full  
48 investigation shall be open to the public. Upon the completion of a full  
49 investigation, the committee shall report its findings and  
50 recommendation in the form of a resolution to be voted upon by the  
51 Senate. Such recommendation shall include one of the following: (1)  
52 Expulsion, (2) censure, (3) reprimand, or (4) no action. The full Senate  
53 shall vote on any such resolution not later than ten days after the  
54 committee reports out any such resolution.

55 (g) The subject of any such complaint or investigation may be  
56 represented by counsel.

57 (h) Not later than ninety days after the effective date of this section,  
58 the committee shall adopt rules and procedures to govern its  
59 proceedings. Such proposed rules shall include, but not be limited to:  
60 (1) Standards, rules and methodology for conducting preliminary and  
61 full investigations, respectively, and (2) criteria for the making of a  
62 recommendation of expulsion, censure, reprimand and no action,  
63 respectively."